

Appl. No. 10/822,180
Amdt. Dated March 13, 2007
Reply to Office Action of January 19, 2007

REMARKS

Claims 2-5, and 13 remain unchanged; claims 1, 8, 10-12, 14, 15 and 18 are amended; and claims 6, 7, 9, 16 and 17 are cancelled. In particular, claim 1 is amended to include the subject matter of originally filed claim 9, as well as the subject matter of originally filed intervening claims 6 and 7. Accordingly, claims 6, 7 and 9 are canceled without prejudice. Claims 8, 10, 11 and 14, which originally directly depended from one of claims 6 and 7, are amended to be directly dependent from currently amended claim 1. Claim 12 is amended to more clearly express the subject matter thereof. Claim 15 is amended to, in part, include the subject matters of originally filed claims 16 and 17, and thereby claims 16 and 17 are canceled without prejudice. Finally, claim 18, which originally directly depended from claim 17, is amended to be directly dependent from currently amended claim 15. Supports for the changes to claims 12 and 15 can be found, e.g., in paragraphs [0017] and [0019], and FIGS. 2 and 3, as originally filed.

Specification

The Examiner, in the present Office Action, indicated "the title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed". As such, Applicant currently has amended the title so as to make it to meet the requirement, as indicated by the Examiner. Accordingly, Applicant submits that the title, as amended, is now in allowable form.

Claim Rejections Under 35 U.S.C. 103

Claims 1, 2, 4, 5, 12, 13, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over the AOPA, in view of Aoki (US Patent No. 6,542,298, hereinafter also referred to as Aoki '298).

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Claims 3, 6, 7, 8, 10, 11, 14, and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over the AAPA, in view of Aoki '298, and further in view of Komatsu (US Patent No. 5,657,306, hereinafter also referred to as Komatsu '306) and Hasegawa (US Patent No. 5,708,644, hereinafter also referred to as Hasegawa '644).

In response to the rejection of claim 1, Applicant has amended claim 1 to include all the allowable subject matter of originally filed claim 9 (see "Allowable Subject Matter" paragraphs of P. 7, in current OA) and the subject matter of intervening claims 6 and 7 of claim 9. In other words, the amended claim 1 basically is the equivalent of originally filed claim 9, rewritten in independent form, and thus is allowable in the current form.

Specifically, claim 1, as currently amended, recites in part:

[A]n optical pick-up device comprising:

a light source configured for emitting a linear polarized light beam with a first type of polarized component and a second type of polarized component;

a polarized light beam converter configured for converting the first type of polarized component of the linear polarized light beam into the second type of polarized component, the polarized light beam converter **comprising a first micro lens array, a birefringent crystal, a second micro lens array** located between the first micro lens array and the birefringent crystal, and a plurality of half-wave plates mounted on a surface of the birefringent crystal, **each lens of the second micro lens array being a concave lens.** (Emphasis added)

Accordingly, Applicant submits that currently amended claim 1 is novel and unobvious over AAPA, in view of Aoki '298, or any other cited

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references (including Komatsu '306 and Hasegawa '644), taken alone or in combination, and thus constitutes allowable subject matter.

In response to the rejection of claims 2-14, Applicant has canceled claims 6, 7 and 9, rendering moot the rejection of claims 6, 7 and 9. Further, claims 2-5, 8, and 10-14 depend upon amended claim 1, which is allowable for the reasons set forth above. Accordingly, Applicant submits that claims 2-5, 8, and 10-14 are also allowable, the allowance of which is hereby respectfully requested.

In response to the rejection of claim 15, Applicant has amended to, in part, include the subject matter of originally filed claims 16 and 17, and thus claims 16 and 17 are canceled without prejudice, and otherwise traverses the rejection thereof as follows.

Specifically, claim 15, as currently amended, recites in part:

[A]n optical pick-up device comprising:

a polarized light beam converter ... comprising a first micro lens array, a second micro lens array, a birefringent crystal and a plurality of half-wave plates; the birefringent crystal defining a first surface and a second surface opposite to the first surface, the first and the second micro lens arrays being located adjacent to the first surface, and the plurality of half-wave plates being located adjacent to the second surface; each lens of the first micro lens array being a converging lens; the second micro lens array being located between the first micro lens array and the birefringent crystal, and a gap defined between the first micro lens array and the second micro lens array being smaller than a focal length of each lens of the first micro lens array.
(Emphasis added)

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Applicant submits that even if the Aoki '298 discloses the polarized light beam converter comprises a first micro lens array 200, and a second micro lens array 310, as alleged by the Examiner (see Para. 4 of Page 5 in current OA), the AAPA, in view of Aoki '298 and further in view of Komatsu '306 and Hasegawa '644 together still fail to teach or suggest the subject matter of "a gap defined between the first micro lens array and the second micro lens array being smaller than a focal length of each lens of the first micro lens array", as set forth in amended claim 15. In particular, the first micro lens array 200 includes a plurality of convex beam splitting lens, and the second micro lens array 310 is a condenser lens array 310 (col. 9, line 46 to col. 10, line 6). That is to say, both the first micro lens array 200 and the second micro lens array 310 have a converging function, and thereby, in order to output parallel linearly polarized beams from the illumination optical system 1, **"a gap defined between the first micro lens array 200 and the second micro lens array 310 must be *larger than* a focal length of each lens of the first micro lens array"** which is contrary to the above-mentioned subject matter, as set forth in amended claim 15.

Accordingly, Applicant submits that currently amended claim 15 is novel and unobvious over AAPA, in view of Aoki '298, or any other cited references (including Komatsu '306 and Hasegawa '644), taken alone or in combination, and thus constitutes allowable subject matter.

In response to the rejection of claims 16-18, Applicant has canceled claims 16 and 17, rendering moot the rejection of claims 16 and 17. Further, claim 18 depends upon amended claim 15, which is allowable for the reasons set forth above. Accordingly, Applicant submits that claim 18 is also allowable, the allowance of which is hereby respectfully requested.

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Allowable Subject Matter

Claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


The Examiner has indicated that "claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims", for which courtesy the Examiner is thanked. In response, all the allowable subject matter of claim 9 and the subject matter of intervening claims 6 and 7, have been incorporated into currently amended claim 1. As such, Applicant submits that claim 1, as currently amended, and those claims depending therefrom are now in condition for allowance.

Conclusion

In view of the foregoing, the present application, as claimed and defined in the pending claims 1-5, 8, 10-15, and 18, is considered to be in a condition for allowance, and an action to such effect is earnestly solicited.

Respectfully submitted,

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